

## REMARKS

In the Office Action mailed June 5, 2002, the Examiner allowed Claims 12-17; rejected Claims 1-3, 5, 7-11, 18-25; and objected to Claims 4 and 6. Reconsideration of the present application is respectfully requested in light of the foregoing amendment and the following remarks. On July 26, 2002 a telephone interview was conducted with the Examiner and the foregoing amendment to Claim 1 was discussed. The Examiner indicated that the amendment distinguished the claims from the cited references which only describe operation within a PBX system.

### **Casner, Carnegie, and Joyce Do Not, Either Singularly or in Combination, Describe, Teach or Suggest the Invention of Claims 1-3, 5, 7-11, and 18-25**

In paragraph 2 of the Official Action, the Examiner rejected Claims 1-3, 5, 7 and 18-25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,517,411 to Casner ("*Casner*") in view of U.S. Patent No. 5,745,884 to Carnegie ("*Carnegie*"). In paragraph 3 of the Official Action, the Examiner rejected Claims 8-11 under 35 U.S.C. §103(a) as being unpatentable over *Casner* in view of *Carnegie* and U.S. Patent No. 6,320,947 to Joyce ("*Joyce*").

Although *Casner* describes receiving a called number and billing information, *Casner* only describes operation within a private branch exchange (PBX). Column 1, line 45 to 60. *Carnegie* is also limited to operation within a PBX. In contrast, amended Claims 1, 8, and 18 recite receiving a telephone number and billing information at a network element and Claim 23 recites adding a set activation fee by a network element. The foregoing amendment to Claims 1, 8, 18, and 23 clarify that the claimed invention uses a network element rather than a PBX to charge a set activation fee.

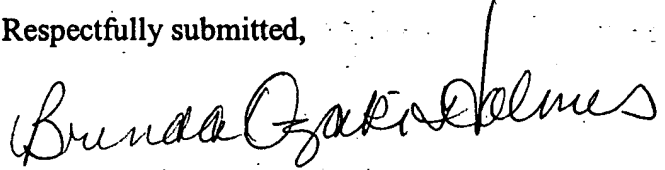
### **Dependent Claims 2-7, 9-11, 19-22 and 24-25**

Claims 2-7, 9-11, 19-22 and 24-25 depend from independent Claims 1, 8, 18 and 23, respectively. The remarks made above with respect to the independent claims are equally applicable to distinguish the dependent claims from the cited references.

**CONCLUSION**

In view of the foregoing and the telephone conference with the Examiner, it is submitted that the pending claims are patentable over the cited references and a notice of allowance is requested. If there are any issues that can be resolved via a telephone conference, please contact the undersigned at 404.685.6799.

Respectfully submitted,



Brenda Ozaki Holmes  
Reg. No. 40,339

Kilpatrick Stockton LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309  
(404) 815-6500  
BellSouth File: 96050  
KS File: 36968/211180 (19260-1780)

**Version of the Claims With Markings to Show Changes Made**

1. (Amended) A method for providing remote access to a public switched telephone network by offsetting the service cost through charging a set activation fee, comprising:

receiving, at a network element, a telephone number and billing information from a set activation fee pay telephone, the set activation fee pay telephone associated with an originating telephone number;

determining whether the billing information is valid;

if the billing information is valid, then placing a telephone call to the telephone number received from the set activation fee pay telephone;

identifying the telephone call as having the originating telephone number associated with the set activation fee telephone; and

charging the set activation fee for the telephone call.

8. (Amended) In a public switched telephone network, a method for charging a set activation fee to a caller using a pay telephone, comprising:

receiving, at a network element, a telephone number corresponding to a called terminating element;

receiving, at the network element, billing information;

determining whether the billing information is present within a first database;

in the event that the billing information is present in the first database, placing the telephone call;

otherwise, informing the caller that the telephone call may not be placed;

determining whether the telephone number corresponding to the pay telephone is present in a second database; and

in the event the telephone number corresponding to the pay telephone is present in the second database, charging a set activation fee to the caller at the termination of the telephone call.

18. (Amended) A method for charging a set activation fee for a telephone call directed to a called telephone number, comprising:

generating a false dial tone;

receiving the called telephone number and billing information at a network

element;

maintaining the false dial tone;

determining whether the billing information is valid;

if the billing information is valid, then releasing the false dial tone;

seizing a true dial tone;

placing the telephone call to the called telephone number; and

charging the set activation fee for the telephone call.

23. (Amended) A method for calculating a charge for a telephone call directed to a called telephone number, comprising:

monitoring a telephone place to the called telephone number to determine call parameters for the telephone call;

determining whether the telephone call originated from a telephone having an originating telephone number that corresponds to an entry in a database;

if so, then determining that a set activation fee applies to the telephone call; and

calculating the charge for the telephone call by using the call parameters to calculate a first portion of the charge; and

adding the set activation fee as a second portion of the charge by a network element, so that the set activation fee is independent of the first portion of the charge.